



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/709,847 | 06/01/2004 | Chien-Yi Shih | VIAP0131USA | 3846 |

27765 7590 06/01/2006

NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION
P.O. BOX 506
MERRIFIELD, VA 22116

| |
|----------|
| EXAMINER |
|----------|

TORRES, MARCOS L

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2617

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/709,847

Applicant(s)

SHIH, CHIEN-YI

Examiner

Marcos L. Torres

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-14 and 16-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-14 and 16-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Response to Arguments

2. Applicant's arguments with respect to claims 1-6, 8-14 and 16-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 8-9, 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa US 20050143060A1 in view of Feldman US006393000B1.

As to claim 1, Narusawa discloses a wireless peripheral for a host (see par. 0047) comprising: a wireless module for communicating wireless signals with the host (see fig. 1, item 2; par. 00470); an alarm module for generating an alarm signal while receiving a control signal (see par. 0057); and a decision module between the alarm module and the wireless module; wherein when the wireless module and the host is disconnected, the decision module generates the control signal to the alarm module for generating the alarm signal (see par. 0049-0053). Narusawa does not specifically

disclose wherein the host transmits confirmation signals to the wireless peripheral only when no speech signals are transmitted between the host and the wireless peripheral.

In an analogous art Feldman discloses wherein the host transmits confirmation signals to the wireless peripheral only when no speech signals are transmitted between the host and the wireless peripheral (see fig. 4, item 104, 106, 108), thereby maintaining a connection between the devices. Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention to combine these teachings for verify the connection between the devices.

As to claim 3, Narusawa discloses the wireless peripheral wherein the host is capable of transmitting a voice signal to the wireless module, the wireless peripheral further connecting to an interface module for transforming the voice signal into an analog voice; the interface module generating an alarm sound while the alarm module receives the control signal (see par. 0056).

As to claim 8, Narusawa discloses the wireless peripheral wherein the host is capable of transmitting a service signal, the wireless peripheral further comprising an interface module for transferring the service signal received in the wireless module into sound or vibration (see par. 0056, 0058).

As to claim 9, Feldman discloses the wireless peripheral wherein the host transmits confirmation signals only when no other signals are to be transmitted to the wireless peripheral (see col. 4, lines 12-35).

Regarding claim 11 is the corresponding system claim of apparatus claim 1. Therefore claim 11 is rejected for the same reason shown above.

Regarding claim 17 is the corresponding method claim of apparatus claim 1.

Therefore claim 17 is rejected for the same reason shown above.

5. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa in view of Haller US 20030083011A1.

As to claim 2, Narusawa discloses a wireless peripheral wherein the wireless peripheral is a wireless handset (see par. 0056), the format of the alarm signal being one of the following: sound and vibration (see par. 0057-0058). Narasawa does not specifically disclose wherein the wireless peripheral is a wireless headset. In an analogous art, Haller wherein the wireless peripheral is a wireless headset (see par. 0050). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention to combine these teachings for the simple purpose of having a hands free communication.

6. Claims 4-6, 12-14 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa in view of Feldman, further in view of Newman US005533959A.

As to claims 4-6, Narusawa discloses everything as disclosed above (see claim 1) except for the wireless peripheral wherein the host is capable of transmitting confirmation signals at different times; the decision module generating the control signal to the alarm module if the decision module has not received the confirmation signals for a predetermined time. In an analogous art, Newman discloses the wireless peripheral wherein the host is capable of regularly transmitting confirmation signals at different times; the decision module generating the control signal to the alarm module if the

Art Unit: 2617

decision module has not received the confirmation signals for a predetermined time (see col. 7, lines 22-35), thereby confirming the connection. Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention to combine these teachings for verify the connection between the devices.

Regarding claims 12-14, they are the corresponding system claims of apparatus claims 4-6. Therefore, claims 12-14 are rejected for the same reason shown above.

Regarding claims 18-19, they are the corresponding method claims of apparatus claims 4-5. Therefore, claims 18-19 are rejected for the same reason shown above.

7. Claims 10, 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa in view of Feldman, further in view of Law US005812056A.

As to claim 10, Narusawa discloses everything as disclosed above except for the wireless peripheral wherein the wireless module is capable of transmitting request signals at different times, the host transmitting a confirmation signals for responding to the request signals. In an analogous art, Law discloses the wireless peripheral wherein the wireless module is capable of transmitting request signals at different times, the host transmitting a confirmation signals for responding to the request signals (see col. 10, lines 12-29). Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention to combine these teachings for verify the connection between the devices.

Regarding claim 16 is the corresponding system claim of apparatus claim 10. Therefore claim 16 is rejected for the same reason shown above.

Regarding claim 20 is the corresponding method claim of apparatus claim 10.
Therefore claim 20 is rejected for the same reason shown above.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any response to this Office Action should be mailed to:

U.S. Patent and Trademark Office
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

571-273-8300

for formal communication intended for entry, informal communication or draft communication; in the case of informal or draft communication, please label "PROPOSED" or "DRAFT"

Hand delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marcos L. Torres whose telephone number is 571-272-7926. The examiner can normally be reached on 8:00am-6:00 PM alt. Wednesday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-252-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marcos L Torres

Application/Control Number: 10/709,847


Page 8

Art Unit: 2617

Examiner

Art Unit 2617


mlt


CHARLES APPIAH
PRIMARY EXAMINER